

LCRLJ 69.
EXECUTION, SUPPLEMENTAL PROCEEDINGS AND GARNISHMENTS

(a) Scope. Execution, supplemental proceedings and garnishments are governed by Statute (See Titles 6 and 7 of the Revised Code of Washington).

(1) Supplemental Proceedings. In all supplemental proceedings wherein an order is issued pursuant thereto requiring the personal attendance of a party to be examined in open court and in orders to show cause the order must include the following words in capital letters.

YOUR FAILURE TO APPEAR AS SET FORTH AT THE TIME, DATE, AND
PLACE THEREOF MAY CAUSE THE COURT TO ISSUE A BENCH WARRANT FOR
YOUR APPREHENSION AND CONFINEMENT IN JAIL UNTIL SUCH TIME AS
THE MATTER CAN BE HEARD, UNLESS BAIL IS FURNISHED AS PROVIDED
IN SUCH BENCH WARRANT.

The failure to include such wording will be grounds for the Court to refuse to issue a bench warrant.

(2) Bench Warrant. In the event the judgment debtor fails to appear for examination in a supplemental proceeding, the Court may issue a Bench Warrant for the defendant's arrest upon plaintiff's motion, provided that proof of personal service on the judgment debtor of the order to appear for examination has been filed. Such Bench Warrant shall provide for bail in the presumptive amount of \$500.00, unless the size of the judgment warrants setting a greater or lesser amount. Upon arrest on a Civil Bench Warrant, the defendant shall be released by the jail upon posting the bail amount or surety bond. In the event that the defendant is unable to post bail, the defendant shall be brought before the Court at the next regularly scheduled "in custody" time. Verbal or oral notice of the bench warrant hearing will be given to the opposing party or counsel one (1) hour or more prior to the scheduled hearing. In the event the opposing party is unavailable for said hearing, the defendant may be released by order of the District Court conditioned upon the party's appearance at a rescheduled hearing.

Upon completion of the examination of the judgment debtor, the bail posted shall be exonerated unless the Court orders otherwise.

(3) Judgment Against Garnishee; Order to Disburse.

(i) No judgment against a garnishee defendant, or order to pay into Court, or order to the clerk to pay out any sum received pursuant to a Writ of Garnishment, will be signed except after judgment is entered against the defendant and until the party who caused the writ to issue shall have filed proof of service and sufficient time shall have elapsed as provided by statute. (RCW 6.27).

(ii) The pattern form of "Judgment and Order to Disburse on Answer of Garnishee Defendant", as proposed by the Office of the Administrator for the Courts of the State of Washington, is hereby adopted for use in Clark County District Court as modified to include a provision for disbursement. Failure to follow such form may be grounds for denial of the order.

(Amended 6-20-06)
